

UNITED STATES DISTRICT COURT

for the
Western District of Texas

United States of America

v.

Eduardo Morales Jr.


Case No.

EP-18-M-8941-LFC

Defendant(s)

FILED

DEC -6 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 4, 2018 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

21 USC 952 (a)

Offense Description

Knowingly and Intentionally import into the United States from the Republic of Mexico, approximately 57.02 kgs. (gross weight) of marijuana, a Schedule I controlled substance.

This criminal complaint is based on these facts:

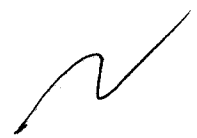
See Affidavit

☒ Continued on the attached sheet.
Complainant's signature

Ruth Ramirez, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/06/2018
Judge's signatureCity and state: El Paso, Texas

Robert F. Castaneda - U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

On December 4, 2018, Homeland Security Investigations Special Agent Ruth Ramirez, the affiant, received a duty call to the Paso Del Norte Port of Entry in El Paso, Texas. The duty call was in reference to the suspected smuggling of marijuana from Mexico into the United States. Customs and Border Protection Officers (CBPO) I. Rodela, R. Molina and A. Gasca provided the following information to the affiant.

On Tuesday, December 4, 2018 at approximately 7:10 a.m., Eduardo MORALES Jr. entered the United States from Mexico at the Paso Del Norte Port of Entry as the driver and sole occupant of a gray 2007 Ford Taurus bearing Texas license plate LHG1869.

At primary lane 9, CBPO Rodela received a negative declaration from MORALES. MORALES informed CBPO Rodela that he was going to work and did not speak English as he tried to control his breathing. CBPO Rodela noticed that the vehicle was extremely clean inside and out and that MORALES only had one crossing in this vehicle. The vehicle was then referred into the secondary inspection area for further inspection.

At secondary, CBPO Gasca noticed that the vehicle seemed extremely clean. CBPO Gasca received a negative declaration from MORALES who claimed that he was coming from home and was going to work as a welder. CBPO Gasca noticed that MORALES appeared to be tense and trying to control his breathing as he answered. When asked if anybody had paid him to import narcotics or anything illegal, MORALES said no. MORALES said that the vehicle was his and that nobody else had driven the vehicle. CBPO Gasca then instructed MORALES to drive the vehicle through the Z-Portal.

The Z-Portal detected anomalies in the vehicle therefore CBPO Molina inspected the vehicle with his Narcotic Detector Dog Daisy. Daisy alerted to the dashboard of the vehicle for the odor of narcotics. CBPO Rodela retrieved a bundle from the front passenger rocker panel and extracted a green leafy substance which field-tested positive for marijuana. A total of 112 bundles were retrieved from the dashboard, the front bumper, the rockers panels and rear doors of the vehicle with a total weight of 57.02 kgs.

Pursuant to the seizure of marijuana, the duty Special Agents were requested to the Paso Del Norte Port of Entry, El Paso, Texas.

Homeland Security Investigations Special Agent Ruth Ramirez in the presence of SA Brent Barnhill advised Eduardo MORALES Jr. of his Miranda Rights in the Spanish language at approximately 10:27 a.m. Upon being advised of his Miranda Rights, MORALES said he understood and agreed to waive his rights and answer questions without the presence of an attorney. MORALES stated that he had recently been fired from his job and that a friend of his put him in contact with MANUEL who could help him out financially. MORALES said he spoke with MANUEL by phone and was told that he would get paid \$800-\$900 to cross something into the United States. When asked what he was crossing, MORALES said he never asked what it was he would be crossing

nor did he inspect the vehicle to see what it was. When SA Ramirez asked MORALES if he thought he was going to be paid that amount to cross sodas, MORALES said no. When asked if he thought he was crossing something illegal, MORALES said yes and that he thought it might be drugs but he did not know what kind of drugs. MORALES said he drove the vehicle on November 29, 2018 to try to get insurance for the vehicle under his name but the office was closed so he returned to Mexico and returned the vehicle. MORALES said he was told on Monday, December 3, 2018 that the vehicle was ready for him to pick up on December 4, 2018 at 6:00 a.m. at Electra in Juarez, MX. MORALES said he thought he was going to change the insurance but once he got to Electra, he was informed to drive the vehicle into El Paso, Texas, park it on El Paso Street with the key inside and return to Electra for payment. At this time, MORALES said he knew he was crossing the merchandise. When asked why he drove the vehicle if he thought there might be drugs in the car, MORALES said he did not have a job. MORALES provided a written statement. The interview was concluded at approximately 11:50 a.m.

Seizure # 2019240200057701